

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 84

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2108, IDAHO CODE, TO
REVISE FEE PROVISIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-2108, Idaho Code, be, and the same is hereby
amended to read as follows:

36-2108. APPLICATION FOR LICENSE -- CONTENTS -- FEE -- QUALIFICATIONS
-- TERM -- BOND. (a) Each applicant for an outfitter's or guide's license
shall make application for such license upon a form to be prescribed and fur-
nished by the board.

1. All applications for an outfitter's license shall be signed by the
applicant, under oath or affirmation that all information supplied by
him in the application form is true and correct as he verily believes and
shall be duly notarized. Such applications shall include, but are not
limited to, a worded description of the boundaries of the operating area
in which such activity will be conducted.

2. All applications for a guide's license shall be signed by the ap-
plicant. Such application shall contain the written endorsement of the
outfitter(s) by whom the applicant will be employed.

(b) Applications shall be made to and filed with the board and, unless
arrangements have been made otherwise with the board, accompanied by proof
of eligibility for a bond payable to the person or persons employing the li-
censee and in a form approved by the board in the sum of ten thousand dollars
(\$10,000) for outfitters, to be executed by a qualified surety, duly autho-
rized to do business in this state, conditioned that for the current license
year said applicant, his agents and employees, if said license is issued to
him, shall conduct his business as an outfitter without fraud or fraudulent
representation, and will faithfully perform his contracts with and duties to
his patrons; said bond shall be filed with the board before issuance of the
license as provided herein.

(c) The board, in its discretion, may make such additional investiga-
tion and inquiry relative to the applicant and his qualifications as it shall
deem advisable, provided that final decision by the board upon an applica-
tion submitted by an applicant who has held during the preceding license year
a license of the same kind for which application is made, and upon an applica-
tion submitted by an applicant not holding during the preceding license year
a license of the same kind or embracing the same activity(ies) or area for
which application is made, shall be made not later than the end of the license
year in which the board receives all materials required to be submitted in
order to complete a license application or ninety (90) days from the date the
board receives all such materials, whichever is later.

1 (d) The applicant shall pay license, penalty, amendment and applica-
2 tion fees to the board as hereinafter provided:

3 1. The license fee shall be paid prior to the issuance of a license.

4 2. The license fee shall be used for the investigation of applicants,
5 for enforcement of this chapter, and for the administration costs of the
6 board.

7 3. The license fee for an ~~outfitter's~~ for the 2005 license year license
8 beginning July 1, 2011, shall be three four hundred twenty-five dollars
9 (\$300425) for online licensing and three five hundred fifty dollars
10 (\$3500) for offline licensing; for the 2006 license year beginning July
11 1, 2012, it shall be three four hundred twenty-five dollars (\$3425)
12 for online licensing and three five hundred seventy-five twenty-five
13 dollars (\$37525) for offline licensing; for the 2007 license year
14 beginning July 1, 2013, it shall be three four hundred fifty dol-
15 lars (\$3450) for online licensing and four five hundred fifty dollars
16 (\$40550) for offline licensing; for the 2008 license year beginning
17 July 1, 2014, it shall be three four hundred seventy-five fifty dol-
18 lars (\$375450) for online licensing and four five hundred twenty-five
19 fifty dollars (\$42550) for offline licensing; for the 2009 license year
20 and beginning July 1, 2015, and for each year thereafter, it shall be
21 four hundred seventy-five dollars (\$40075) for online licensing and
22 four five hundred fifty seventy-five dollars (\$450575) for offline
23 licensing; and, the license fee for a designated agent as defined in
24 section 36-2102(b), Idaho Code, for the 2005 license year license be-
25 ginning July 1, 2011, shall be one hundred twenty fifty dollars (\$1250)
26 for online licensing and one hundred forty seventy dollars (\$1470) for
27 offline licensing; for the 2006 license year beginning July 1, 2012,
28 it shall be one hundred twenty-five fifty dollars (\$1250) for online
29 licensing and one hundred fifty eighty dollars (\$1580) for offline li-
30 censing; for the 2007 license year beginning July 1, 2013, it shall
31 be one hundred thirty sixty dollars (\$1360) for online licensing and
32 one hundred sixty ninety dollars (\$1690) for offline licensing; for
33 the 2008 license year beginning July 1, 2014, it shall be one hundred
34 sixty dollars (\$160) for online licensing and two hundred dollars
35 (\$200) for offline licensing; and beginning July 1, 2015, and for
36 each year thereafter, it shall be one hundred forty seventy dollars
37 (\$1470) for online licensing and one two hundred sixty ten dollars
38 (\$16210) for offline licensing; and, the license fee for a guides
39 for the 2005 license year license beginning July 1, 2011, shall be
40 ninety-five one hundred ten dollars (\$95.00110) for online licensing
41 and one hundred twenty-five dollars (\$1025) for offline licensing; for
42 the 2006 license year beginning July 1, 2012, it shall be ninety-five
43 one hundred ten dollars (\$95.00110) for online licensing and one hun-
44 dred ten thirty-five dollars (\$14035) for offline licensing; for the
45 2007 license year beginning July 1, 2013, it shall be one hundred
46 fifteen dollars (\$10015) for online licensing and one hundred fifteen
47 forty-five dollars (\$1445) for offline licensing; for the 2008 license
48 year beginning July 1, 2014, it shall be one hundred fifteen dollars
49 (\$115) for online licensing and one hundred fifty-five dollars (\$155)
50 for offline licensing; and beginning July 1, 2015, and for each year

1 thereafter, it shall be one hundred ~~five~~ twenty dollars (\$~~1205~~) for on-
2 line licensing and one hundred ~~fifteen~~ sixty-five dollars (\$~~1165~~) for
3 offline licensing.

4 4. A penalty fee in the amount of ~~fifty dollars (\$50.00)~~, which shall
5 ~~increase to~~ one hundred fifty dollars (\$150) ~~beginning January 1, 2005,~~
6 may be charged in addition to the regular outfitter's license fee for
7 any such renewal applicant whose application is not complete by the end
8 of the ~~outfitter's~~ license year; this does not apply to a new applicant
9 for an outfitter's license.

10 5. A ~~seventy-five dollar (\$75.00) fee, which shall increase to two hun-~~
11 ~~dred dollars (\$200) beginning January 1, 2005, Beginning July 1, 2011,~~
12 a three hundred dollar (\$300) fee shall be charged for every amendment
13 to an outfitter's license other than a minor amendment, a ~~ten dollar~~
14 ~~(\$10.00) fee, which shall increase to~~ thirty-five dollars (\$35.00)
15 beginning January 1, 2005, ~~fee~~ shall be charged for every minor amend-
16 ment to an outfitter's license, and a ~~ten dollar (\$10.00) fee, which~~
17 shall increase to twenty dollars (\$20.00) ~~beginning January 1, 2005,~~
18 fee shall be charged for every amendment to the license of a designated
19 agent or guide.

20 6. The following fees shall be established annually by the board and
21 shall be used for application related expenses: a one-time applica-
22 tion fee for outfitters not to exceed ~~four~~ five hundred dollars (\$~~4500~~)
23 beginning July 1, 2011; a one-time application fee for designated
24 agents not to exceed fifty dollars (\$50.00); and a one-time application
25 fee for guides not to exceed ~~ten dollars (\$10.00)~~, the maximum of which
26 shall ~~increase to~~ twenty dollars (\$20.00) ~~beginning January 1, 2005.~~
27 The board shall ~~establish by rule a policy to refund unused application~~
28 ~~fees and shall establish by rule fees for expedited, exceptional, re-~~
29 ~~submittal or emergency processing of license applications, a fee credit~~
30 ~~for electronic filing of applications and a fee for the use of credit~~
31 ~~cards corresponding to the cost to the agency of processing the card~~
32 ~~use.~~